

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona
Michael R. Matthias

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

WALTER J. GROSS REVOCABLE TRUST, a
New York trust, QTIP MARITAL TRUST UNDER
ARTICLE VIII OF THE WALTER J. GROSS
REVOCABLE TRUST, a New York trust, LORA
JOY APPLETON, as trustee, GENERATION
SKIPPING TRANSFER TAX EXEMPTION
TRUST UNDER ARTICLE FIFTH OF THE WILL

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04674 (SMB)

OF WALTER J. GROSS, a New York trust,
ESTATE OF WALTER J. GROSS, BARBARA S.
GROSS as trustee, as personal representative, as an
individual, and as joint tenant, SUSAN J.
ANOLICK, and ROBERT J. GROSS,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF ADVERSARY
PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and Walter Gross Revocable Trust, QTIP Marital Trust Under Article VIII of the Walter J. Gross Revocable Trust, Lora Joy Appleton, as trustee, Generation Skipping Transfer Tax Exemption Trust Under Article Fifth of the Will of Walter J. Gross, Estate of Walter J. Gross, Barbara S. Gross, as trustee, as personal representative, as an individual, and as joint tenant, Susan J. Anolick, and Robert J. Gross (collectively, “Defendants”), by and through their counsel, Moses & Singer LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Defendants.
2. On June 20, 2011, Defendants served an answer on the Trustee.
3. Pursuant to Federal Rule of Civil Procedure 41(a)(1), made applicable by Federal Rule of Bankruptcy Procedure 7041, the Parties hereby stipulate to the dismissal of the adversary proceeding with prejudice.
4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and

parties of interest.

5. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: July 14, 2015

Of Counsel:

BAKER & HOSTLER LLP
11601 Wilshire Boulevard, Suite 1400
Los Angeles, California 90025-0509
Telephone: 310.820.8800
Facsimile: 310.820.8859
Michael R. Matthias
Email: mmatthias@bakerlaw.com

BAKER & HOSTLER LLP

By: s/ Nicholas J. Cremona
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com

Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and for the Estate of Bernard L. Madoff

MOSES & SINGER LLP

By: s/ Mark N. Parry
The Chrysler Building
405 Lexington Avenue
New York, New York 10174-1299
Telephone: 212.554.7800
Facsimile: 212.554.7700
Mark N. Perry
Email: mparry@mosessinger.com

Attorneys for Defendants

SO ORDERED

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

Dated: July 15th, 2015
New York, New York